

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

IRMA AVALOS,

Plaintiff,

v.

COSTCO WHOLESALE
CORPORATION,

Defendant.

No. 2:24-cv-0515 JAM AC

ORDER

Magistrate Judge Allison Claire will hold a settlement conference in this case on February 27, 2025, at 9:00 a.m. The settlement conference will be held via Zoom unless the parties request that the conference be conducted in person; login details will be provided prior to the date of the conference. The court expects that the parties will proceed with the settlement conference in good faith and attempt to resolve all or part of the case. If any party believes that the settlement conference will not be productive, that party shall so inform the court as far in advance of the settlement conference as possible. Unless otherwise specifically authorized by the court in advance of the settlement conference, the following individuals must participate in the settlement conference: (1) all of the attorney(s) who will try the case; (2) the parties; and (3) individuals with full authority to negotiate and settle the case, on any terms.

No later than February 13, 2025, each party must submit to Judge Claire's chambers at

1 acorders@caed.uscourts.gov a confidential settlement conference statement. These statements
2 should not be filed on the docket; however, each party shall e-file a one-page document entitled
3 Notice of Submission of Confidential Settlement Conference Statement. The statements should
4 be marked “CONFIDENTIAL” and should state the date and time of the conference.

5 While brevity is appreciated, each statement must include:

6 (1) a brief recitation of the facts;

7 (2) a discussion of the strengths and weaknesses of the case, from your party’s
8 perspective;

9 (3) an itemized estimate of your party’s expected costs for further discovery, pretrial, and
10 trial matters, in specific dollar terms;

11 (4) your best estimate of the probability that plaintiff will obtain a finding of liability
12 should this case proceed to trial, in percentage terms;

13 (5) should this case proceed to trial and defendant be found liable, please provide the
14 following, in specific dollar terms:

15 (a) a realistic high-end recovery estimate (i.e., realistic best- or worst-case
16 scenario)

17 (b) a realistic low-end recovery estimate (i.e., realistic worst- or best-case
18 scenario), and

19 (c) a best estimate of the most likely outcome;

20 (6) a history of settlement discussions, including:

21 (a) a statement of your expectations for settlement discussions;

22 (b) a listing of any past and present settlement offers from any party (including all
23 terms);

24 (c) whether your party would consider making the opening offer or demand, and
25 what that offer might be;

26 (7) a list of the individuals who will be participating in the settlement conference on your
27 party’s behalf, including each participant’s name and, if appropriate, title;

28 (8) identification of any related cases or of any other cases that the parties might wish to

1 discuss at this settlement conference; and

2 (9) a completed worksheet (blank version attached) highlighting your responses to certain
3 of the above questions.

4 Judge Claire will hold a short, pre-settlement conference via Zoom on February 18, 2025
5 at 10:00 a.m. Only the lead attorney from each side¹ should participate. At Judge Claire's
6 discretion, the joint discussion may be followed by private discussions between the judge and
7 each party. Zoom login information will be provided in advance of February 18, 2025.

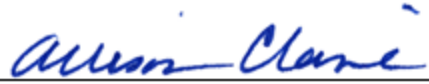
8 In accordance with the above, it is hereby ORDERED that:

9 1. A pre-settlement conference is set before Magistrate Judge Claire on February 18,
10 2025 at 10:00 a.m.

11 2. A settlement conference is set before Magistrate Judge Claire on February 27, 2025, at
12 9:00 a.m.

13 3. No later than February 13, 2025, each party must submit a confidential settlement
14 conference statement, as described above, to Magistrate Judge Claire.

15 DATED: October 30, 2024

16 
17 ALLISON CLAIRE
18 UNITED STATES MAGISTRATE JUDGE
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27 _____
28 ¹ The court expects that the attorneys participating in the pre-settlement conference discussion
will also participate in the settlement conference.

Pre-Settlement Worksheet

<i>Please fill in each value below</i>	
<i>Additional cost to your party expected for . . . discovery</i>	\$
<i>. . . pretrial</i>	\$
<i>. . . trial</i>	\$
<i>Estimated probability of liability finding</i>	%
<i>Realistic high-end estimate of recovery by P</i>	\$
<i>Realistic low-end estimate of recovery by P</i>	\$
<i>Best estimate of recovery by P</i>	\$
<i>Last offer/demand (if any) previously made by your party</i>	\$
<i>Last offer/demand (if any) previously made by opposing party</i>	\$
<i>Proposed next offer/demand by your party</i>	\$